



STATE OF WASHINGTON
APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT

RECEIVED
SEP 26 2007
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

For filing with the Department of Ecology or with County Conservancy Boards

Re-Rwd
10-12-2007
w/ Fee

A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF ECOLOGY MUST ACCOMPANY THIS APPLICATION

(Check all that apply.)

- ☐ Change purpose(s) of use
☒ Add purpose(s) of use
☐ Change point(s) of diversion/withdrawal
☒ Add point(s) of diversion/withdrawal
☒ Change/transfer place of use
☐ Other (i.e. consolidation, intertie, trust water)

Explain: _____

FOR OFFICE USE ONLY

CHANGE No. CS3-23652C WRIA 54

DATE ACCEPTED 10 / 30 / 2007 BY K. Ryf

FEE \$ 320.00 REC'D 10 / 12 / 2007

CHECK No. 12433

SEPA: Exempt ☒ Not exempt

Lincoln County

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME Morris West	PHONE NO. (509) 663-6770	FAX NO. ()
ADDRESS 7057 Tarpiscan Road		
CITY Malaga, WA 98828	STATE WA	ZIP CODE 98816

CONTACT NAME (IF DIFFERENT FROM ABOVE) Peter A. Fraley, attorney for West	PHONE NO. (509) 662-1954	FAX NO. (509) 662-5724
ADDRESS P.O. Box 1606		
CITY Wenatchee	STATE WA	ZIP CODE 98807-1606

APPLICANT/BUSINESS NAME PPR River, LLC	PHONE NO. (206) 364-2200	FAX NO. ()
ADDRESS 1301 Fifth Avenue, Suite 2800		
CITY Seattle	STATE WA	ZIP CODE 98101-2675

CONTACT NAME (IF DIFFERENT FROM ABOVE) Donald L. Dimmit, attorney for PPR River, LLC	PHONE NO. (509) 662-3685	FAX NO. (509) 662-2452
ADDRESS P.O. Box 1688		
CITY Wenatchee	STATE WA	ZIP CODE 98807-1688

FOR OFFICE USE ONLY

APP. NO. S3-23652 PERMIT NO. P CERT. NO. C CERT. OF CHANGE NO. _____

S3-23652CWRTS
CR-1wr Snake Main

APPLICANT/BUSINESS NAME Richard & Barbara Teel Living Trust ("Teel Trust")	PHONE NO. (509) 725-1882	FAX NO. (509) 725-1882
ADDRESS 32196 Teel Road North		
CITY Davenport	STATE WA	ZIP CODE 99122

CONTACT NAME (IF DIFFERENT FROM ABOVE) Mark DeWulf, attorney for Teel Trust and Teel	PHONE NO. (509) 982-2672	FAX NO. (509) 982-2808
ADDRESS P.O. Box 457		
CITY Odessa	STATE WA	ZIP CODE 99159

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER S3-23652C	RECORDED NAME(S) Richard C. & Barbara J. Teel
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: The Richard and Barbara Teel Living Trust, Richard C. Teel and Barbara J. Teel, Trustees 32196 Teel Road North Davenport, WA 99122 See accompanying letter.	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

See Inland Power and Light Company Statement with Graph of KWH Usage per month attached as Exhibit "A".

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Spokane River/Franklin D. Roosevelt Lake (Columbia River)		SE	NE	15	27N	37E		

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
a. Columbia River (Rufus Woods Lake)	Gov't Lot 6	NW	NW	3	29 N	26 E		
b.								
1. Three (3) wells	Gov't Lot 5	NE	NE	7	26 N	21 E	262 112 100 43	
2. Two (2) wells	Gov't Lot 6	NE	NE	12	26 N	21 E	791 000 006 00	
Columbia River - see below *								
c. Spokane River/Franklin D. Roosevelt Lake (Columbia River)		SE	NE	15	27N	37E		

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☐ YES ☒ NO PROPOSED: ☒ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

The proposed point of diversion identified in (a) is owned by Morris West and is located in Okanogan County. The proposed points of diversion identified in (b) are owned by PPR River, LLC. The specific well locations are identified Section 6 below. The proposed point of diversion identified in (c) is the existing point of diversion located in Lincoln County and is owned by Richard and Barbara Teel.

* All five (5) wells are located in Douglas County. See Report of Examination for Certificate of Water Right No. G4-29324C and Findings of Fact and Decision for Ground Water Certificate No. G4-26626C finding continuity with the Columbia River.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	6.4	417	Seasonal

B. Proposed

PURPOSE OF USE	CFS	ACRE-FT/YR	PERIOD OF USE
a. West			
1. Irrigation	1.67	157.25	April 1 to October 31
2. Frost Protection	1.33	40.70	March 1 to May 31
b. PPR River, LLC - Irrigation	2.81 2.85	183.05	Seasonal
c. Teel Trust - Irrigation	0.55	36.00	Seasonal

10/16/07
KRYf
per 10/16/07 WR

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

Portion of E½E½ of Sec. 9,
Portion of the W½NW¼ and a portion of the NW¼SW¼ of Sec. 10;
Portion of the NW¼ of Sec. 15,
ALL BEING WITHIN T. 27 N., R. 37 E.W.M.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		9 10 15	27 N.	37 E.			350

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:

The Richard C. Teel and Barbara J. Teel, Trustees under the Richard and Barbara Teel Living Trust own the property upon which the water has been put to beneficial use. James and Joan Goodman own the property located within the west half of the northwest quarter of section 10. E. Tapina owns the property located within northwest quarter of the southwest quarter of section 10. Teel leases the property from Goodman and Tapina for agricultural purposes. See letter accompanying this Application for Change.

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

a. Morris West Property - see attached Exhibit "B", legal description of proposed property for Morris West Parcel #302634 00 34

b. PPR River, LLC - see attached Exhibit "C", legal descriptions, owners, and parcel numbers for the proposed property

c. Teel Trust - a portion of the property already identified in the existing place of use as legally described in Exhibit "D".

See Comments Section.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
a.		34	30N	26E	Okanogan	302634 00 34	37.0
b. See Exhibit "C"					Douglas		up to 50
c.							30.2
E½	E½	9	27N	37E	Lincoln		
	NW	15	27N	37E	Lincoln		

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:
a. Morris West; b. PPR River, LLC either owns the property, holds on option to purchase the property, or is negotiating a partnership or sale of all the lands in the proposed place of use. See Exhibit "C" for the current property owners, legal descriptions, and parcel numbers for each;
c. Richard & Barbara Teel Living Trust.

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?
☒ YES ☐ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):
Certificate of Water Right S4-22875C is associated with the proposed property identified in 5.B.(a). Certificate of Water Rights G4-29324C, 3674-A, and 4347-A are associated with the proposed property identified in 5.B.(b).

6. Remarks and Other Relevant Information:

On about February 1, 2007, Morris West and Stemilt Growers, Inc. entered into a Water Right Purchase and Sale Agreement ("Agreement") in order to purchase Water Right S3-23652C, which is the subject of this change application. Stemilt Growers, Inc. assigned its interest to PPR River, LLC. In July 2007, Mr. Teel sought to retain a portion of the water right for use on the existing place of use. Accommodating Mr. Teel, the Parties negotiated an Addendum to the Water Right Purchase and Sale Agreement. The purchase of the water right is conditioned on the approval of this change application. Mr. West needs sufficient water for agricultural purposes to irrigate 37 acres from April 1st to October 31st and to provide frost protection for the 37 acres from March 1st to May 31st. Mr. Teel desires to retain a portion of the water right for irrigation. PPR River, LLC and others own real property located in Douglas County and will use the remainder of the water right to irrigate up to 50 acres on the properties located in Douglas County as set out herein. Mr. West, Mr. Teel, and PPR River, LLC have agreed that the needs of West shall be addressed first, with the balance of the water right to be transferred to PPR River, LLC and Mr. Teel in proportions as set out in the Addendum to the Agreement.

The proposed point of diversion identified in 3.B. as (a) is located in the northwest quarter of the northwest quarter of section 3.

The proposed points of diversion (three wells) identified in 3.B. as (b)(1) are located approximately 2100 feet north and 450 feet west of the east quarter corner of section 7.

The proposed points of diversion (two wells) identified in 3.B. as (b)(2) are located approximately 2500 feet north and 250 feet west of the east quarter corner of section 12.

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Morris West 8/29/07
Morris West, Applicant (Date)

PPR River, LLC, Applicant

By: (name) (title) (Date)

Richard and Barbara Teel Living Trust, Applicant and Land Owner of Existing Place of Use

Richard C. Teel 8/24/07
By: Richard C. Teel, Trustee (Date)

Barbara J. Teel 8/24/07
By: Barbara J. Teel, Trustee (Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☒ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE
☐ ADDITIONAL SIGNATURES REQUIRED ☒ SECTION 3B, 4B, 5B IS INCOMPLETE
☒ OTHER/EXPLANATION: See Return Letter

STAFF: KARyf DATE: 10/01/2007